

RESOLUTION NO. 08-151

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE
CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR
GENERAL PLAN 2030 AS ADEQUATE AND COMPLETE AND ADOPTING A
STATEMENT OF FINDINGS AND FACTS IN SUPPORT THEREOF, A
STATEMENT OF OVERRIDING CONSIDERATION AND MITIGATION
MONITORING PROGRAM – CITY OF VICTORVILLE

WHEREAS, the City of Victorville initiated a comprehensive update of the General Plan under General Plan 2030 (the "Project"); and

WHEREAS, the City prepared an initial study for the Project pursuant to California Environmental Quality Act ("CEQA") Guidelines and concluded that the Project may have a significant impact on the environment and an environmental impact report (EIR) should be prepared; and

WHEREAS, the City prepared and circulated a Notice of Preparation for the draft Environmental Impact Report to the public, responsible agencies and other interested persons for a thirty (30) day review and comment period from February 19, 2008 through March 19, 2008 pursuant to CEQA Guidelines Section 15082; and

WHEREAS, pursuant to comments received on the NOP document, the draft Environmental Impact Report (EIR) was prepared for the Project assessing the Project's environmental impact in compliance with CEQA and the CEQA Guidelines and the City circulated the draft to the public, responsible agencies and other persons for their review and comment during a forty-five (45) day review period from August 15, 2008 through September 29, 2008 pursuant to CEQA Guidelines Section 15087(c); and

WHEREAS, there was some confusion as to what the actual end date for comments was due to the State Clearinghouse receiving the documents and beginning the review period on August 15, not August 18, as stated in the EIR Introduction, therefore, the City accepted comments through October 2, 2008; and

WHEREAS, written comments were received from seven agencies and thirteen individuals during the review period who reviewed the draft Environmental Impact Report and those comments were responded to in writing as required by Public Resources Code Section 21092.5 and CEQA Guidelines Section 15088; and

WHEREAS, the Planning Commission of the City of Victorville conducted a public hearing on September 24, 2008 to take oral testimony on the draft EIR prior to making a recommendation to the City Council and thereafter recommended to the City Council the certification of the Final Environmental Impact and adoption of the Statement of Facts, Findings and Overriding Considerations; and

WHEREAS, the City Council conducted a public hearing on October 21, 2008 to receive any additional public testimony prior to making a decision on the Final Environmental Impact report and the Statement of Facts, Findings and Overriding Considerations; and

WHEREAS, the Final Environmental Impact Report consists of the backup file material for the Project; the draft General Plan 2030; the Notice of Preparation; the draft Environmental Impact Report dated August 14, 2008, the comments on the draft Environmental Impact Report and responses to those comments; the staff reports for the public hearings before the Planning

Commission held on September 24, 2008, as well as the City Council meeting of October 21, 2008; the Minutes of those hearings and all documentary and other testamentary evidence submitted thereat; the Statement of Facts and Findings in support thereof; the Statement of Overriding Considerations; and the Mitigation Monitoring Program; and

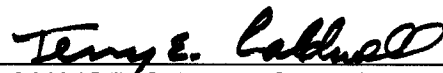
WHEREAS, the City Council of the City of Victorville has reviewed all material comprising the Final Environmental Impact Report and finds that it contains all environmental documentation and all environmental impacts of the Project and the Final Environmental Impact Report is complete and adequate, reflecting the independent judgment of the City Council of the City of Victorville.

NOW, THEREFORE, the City Council of the city of Victorville does hereby resolve as follows:

1. The findings contained in the Facts, Findings and Statement of Overriding Considerations ("Facts & Findings") with respect to the significant impacts identified in the Final Environmental Impact Report are true and correct, and are based upon substantial evidence in the record, including documents comprising the Final Impact Report. The Facts and Findings is attached hereto and is incorporated herein by this reference as if set forth in full.
2. The Final Environmental Impact Report has identified all significant environmental impacts of the Project and there are no known potentially significant environmental impacts not addressed in the Final Environmental Impact Report.
3. All significant environmental impacts of the Project are set forth in the Facts and Findings in support thereof.
4. Although the Final Environmental Impact Report identifies certain significant environmental impacts which would result if the Project is approved, all significant impacts that can be feasibly avoided or mitigated will be avoided or mitigated by the imposition of conditions on the approved project and the imposition of mitigation measures as set forth in the Statement of Findings and Facts in support thereof for the Final Environmental Impact Report.
5. Potential mitigation measures and project alternatives not incorporated into the Project were rejected as infeasible, based upon specific economic, social and other considerations as set forth in the Statement of Findings and Facts in support thereof and the Final Environmental Impact Report.
6. The significant impacts of the Project, as identified in the Statement of Findings and Facts in support thereof which will have not been reduced to a level of insignificance will have been substantially reduced in their impacts by the imposition of conditions on the approved project and the imposition of mitigation measures. In making its decision on the Project, the City Council of the City of Victorville finds that it has given great weight to the significant unavoidable adverse environmental impacts, but the significant unavoidable adverse impacts are clearly outweighed by the economic, social and other benefits of the Project as set forth in the Statement of Overriding Considerations.
7. The Final Environmental Impact Report has described an adequate range of alternatives to the Project, even when those alternatives might impede the attainment of project objectives and might be more costly.

8. A good faith effort has been made to seek out and incorporate all points of view in the preparation of the Final Environmental Impact Report.
9. During the public hearing process on the Project, a range of alternatives was evaluated, and the Project as recommended by this Resolution is included within that range of alternatives.
10. The City Council of the City of Victorville certifies that the Final Environmental Impact Report for the City of Victorville General Plan 2030 is adequate and complete in that it addresses the environmental effects of the proposed project and fully complies with the requirements of the California Environmental Quality Act, and CEQA Guidelines and reflects the independent judgment of the City Council of the City of Victorville. The Final Environmental Impact Report is composed of:
 - a. The backup file material for the Project;
 - b. The draft General Plan 2030;
 - c. The Notice of Preparation;
 - d. The draft Environmental Impact Report dated August 14, 2008;
 - e. The comments on the draft Environmental Impact Report and responses thereto;
 - f. The staff report for the public hearing before the Planning Commission held on September 24, 2008;
 - g. The minutes of the aforementioned hearing and all documentary and other testamentary evidence submitted thereat;
 - h. The staff report for the public hearing held before the Victorville City Council on October 21, 2008;
 - i. The minutes of the aforementioned hearing and all documentary and the testamentary evidence presented thereat;
 - j. The Statement of Facts and Findings in support thereof;
 - k. The Statement of Overriding Considerations; and
 - l. The Mitigation Monitoring Program;
 - m. The Mitigation Monitoring Program prepared for the Project is hereby adopted.

PASSED, APPROVED AND ADOPTED this 21st day of OCTOBER 2008.



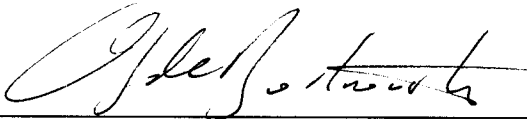
MAYOR OF THE CITY OF VICTORVILLE

ATTEST:



CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY

I, CAROLEE BATES, City Clerk of the City of Victorville and ex-officio Clerk to the City Council of said City, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution No. 08-151 which was adopted at a meeting held on the 21st day of October 2008, by the following roll call vote, to wit:

AYES: Councilmembers Almond, Cabriaes, Caldwell, Hunter and Rothschild

NOES: None

ABSENT: None

ABSTAIN: None



CITY CLERK OF THE CITY OF VICTORVILLE